

United States District Court
NORTHERN DISTRICT OF CALIFORNIA

EMC

ADR

E-FILING

ARDENTE, INC., a California corporation,

SUMMONS IN A CIVIL CASE

CASE NUMBER:

v.

See attachment A.

C07 04479 EMC

TO: (Name and address of defendant)

See attachment A.

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Eric J. Sidebotham
Eric J. Sidebotham, APC
TechMart Center
5201 Great America Parkway, Suite 320
Santa Clara, CA 95054

an answer to the complaint which is herewith served upon you, within ²⁰ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wleking

CLERK

DATE

8.29.07

(BY) DEPUTY CLERK

SANDY MORRIS



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SEE ATTACHED ADDENDUM**
 EFFECTED (1) BY ME: **OUT OF STATE** *Kevin Farina*
 TITLE: **PROCESS SERVER**

DATE: 9/12/07

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[☒] Served personally upon the defendant:

WEAR THE BEST INC.

Place where served:

32 Henry Street, Bethel, CT 06801 (Bldg. 17 A)

[] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: M AGE: 54 HEIGHT: 5'9 WEIGHT: 185 SKIN: W HAIR: Balding OTHER: _____

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

Accepted by Richard Shanley / President

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/14/2007

Kevin Farina L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083
 Kevin Farina

ATTORNEY: RYAN P. SMITH
 PLAINTIFF: ARDENTE, INC.
 DEFENDANT: RICHARD SHANLEY, ET AL
 VENUE: DISTRICT
 DOCKET: C 07 04479 EMC

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JVS



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SEE ATTACHED ADDENDUM**
 EFFECTED (1) BY ME: **OUT OF STATE** *Stuart Perlmutter*
 TITLE: **PROCESS SERVER**

DATE: 9/12/07

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

DYNAMIC LIVING, INC. C/O R&C SERVICE COMPANY c/o David O'Meara Attorney

Place where served:

280 Trumbull Street Hartford, CT 06103

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: M AGE: 55 HEIGHT: 5'10 WEIGHT: 190 SKIN: W HAIR: Black OTHER: _____

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

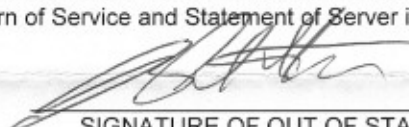
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/14/2007


 L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083
 Stuart Perlmutter

ATTORNEY: RYAN P. SMITH
 PLAINTIFF: ARDENTE, INC.
 DEFENDANT: RICHARD SHANLEY, ET AL
 VENUE: DISTRICT
 DOCKET: C 07 04479 EMC

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JVS



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SEE ATTACHED ADDENDUM**
 EFFECTED (1) BY ME: **OUT OF STATE** Stuart Perlmutter
 TITLE: **PROCESS SERVER**

DATE:
 9/11/07

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

[] Served personally upon the defendant:

RICHARD SHANLEY

Place where served:

165 Old Mail Trail, Westbrook, CT. 06498

☒ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Maureen Shanley

Relationship to defendant: Wife

Description of person accepting service:

SEX: F AGE: 60 HEIGHT: 5'8 WEIGHT: 150 SKIN: W HAIR: Blonde OTHER: _____

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

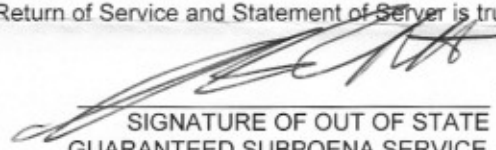
SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 9/13/2007


 L.S.
 SIGNATURE OF OUT OF STATE
 GUARANTEED SUBPOENA SERVICE, INC.
 2009 MORRIS AVENUE
 UNION, NJ 07083

Stuart Perlmutter

ATTORNEY: RYAN P. SMITH
 PLAINTIFF: ARDENTE, INC.
 DEFENDANT: RICHARD SHANLEY, ET AL
 VENUE: DISTRICT
 DOCKET: C 07 04479 EMC

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JVS



AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

SERVICE OF: **SEE ATTACHED ADDENDUM**
EFFECTED (1) BY ME: **OUT OF STATE** *Kevin Farina*
TITLE: **PROCESS SERVER**

DATE: *9/15/07*

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:STIR CHEF, LLC C/O PAULA LOROCCEO *Warren Tuttle*

Place where served:

722 Silvermine Road, New Canaan, CT. 06840

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing herein. Name of person with whom the summons and complaint were left:

Relationship to defendant: _____

Description of person accepting service:

SEX: *M* AGE: *50* HEIGHT: *5'10"* WEIGHT: *180* SKIN: *White* HAIR: *Black* OTHER: _____☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

STATEMENT OF SERVER

TRAVEL \$ _____

SERVICES \$ _____

TOTAL \$ _____

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: *9/17/2007*

Kevin Farina L.S.
SIGNATURE OF OUT OF STATE
GUARANTEED SUBPOENA SERVICE, INC.
2009 MORRIS AVENUE
UNION, NJ 07083

ATTORNEY: RYAN P. SMITH
PLAINTIFF: ARDENTE, INC.
DEFENDANT: RICHARD SHANLEY, ET AL
VENUE: DISTRICT
DOCKET: C 07 04479 EMC

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JVS

ADDENDUM

1. SUMMONS,
2. CIVIL COVER SHEET,
3. COMPLAINT FOR PATENT INFRINGEMENT, BREACH OF CONTRACT AND FRAUD,
4. DISPUTE RESOLUTION PROCEDURES IN THE NORTHERN DISTRICT OF CALIFORNIA,
5. ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES,
6. JUDGE CHEN'S STANDING ORDER,
7. INSTRUCTIONS FOR THE PREPARATION OF A CASE MANAGEMENT STATEMENT,
8. CASE MANAGEMENT CONFERENCE ORDER,
9. ELECTRONIC CASE FILING USERS MANUAL,
10. NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE FOR TRIAL,
11. GENERAL RULE 45 – ELECTRONIC CASE FILING.

ATTACHMENT A

Defendants:

RICHARD J. SHANLEY, an individual; WEAR THE BEST, INC., a Connecticut corporation; STIR CHEF LLC, aka STIRCHEF LLC, a dissolved Connecticut limited liability company; DYNAMIC LIVING, INC., a Connecticut corporation; and DOES 1 through 20, inclusive

Defendants' Addresses:

RICHARD J. SHANLEY, an individual
165 Old Mail Trail
Westbrook , CT 06498

WEAR THE BEST, INC., a Connecticut corporation
c/o Daniel W. O'Grady
8 Liberty Place
Bethel, CT 06801

STIR CHEF LLC, aka STIRCHEF LLC, a dissolved Connecticut limited liability company
c/o Paul A. Lorocco
32 Henry Street
Bethel, CT 06801

DYNAMIC LIVING, INC., a Connecticut corporation
c/o R&C Service Company
280 Trumbull Street
Hartford, CT 06103-3597